



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Paul F. Havala  
Serial No.: 10/656,702  
Filing Date: September 6, 2003  
Group Art Unit: 2661  
Title: VIRTUAL PRIVATE NETWORK (VPN) WITH  
CHANNELIZED ETHERNET OVER SONET (EOS)  
INTERFACE AND METHOD

Honorable Commissioner  
for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Willie Tules  
Name

January 13, 2005  
Date of Signature

Express Mail No. EV 323310176 US

**INFORMATION DISCLOSURE STATEMENT**

Applicant respectfully requests, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Copies of these references are enclosed for the convenience of the Examiner. Furthermore, pursuant to 37 C.F.R. § 1.97(h), no representation is made that these references qualify as

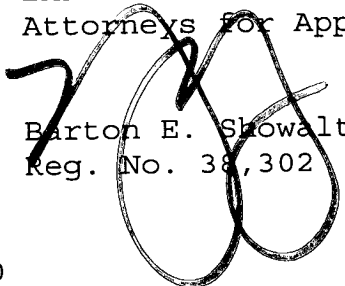
prior art or that these references are material to the patentability of the present application.

Enclosed is a copy of a Communication dated January 4, 2005 from the European Patent Office attaching a copy of a European Search Report with references cited in the related foreign application. The European Search Report identifies the references contained in this Information Disclosure Statement. The European Search Report has a mailing date of January 4, 2005. Therefore, I hereby certify that the references contained in this Information Disclosure Statement were cited for the first time in a communication from a foreign patent office in a related foreign application not more than three months prior to the filing of this Information Disclosure Statement. Furthermore, in the event a patent term adjustment is requested, pursuant to the requirements of 37 C.F.R. § 1.704, Applicant submits that the references contained in this Information Disclosure Statement were cited in a communication from a foreign patent office in a related application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

Pursuant to 37 C.F.R. § 1.97(c), Applicant believes that this Information Disclosure Statement has been filed before the mailing date of a final action or notice of allowance. Therefore, Applicant believes that no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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Customer Number:

**05073**

PTO-1449		Application No. <b>10/656,702</b>		Applicant(s) <b>Paul F. Havala</b>	
<b>Information Disclosure Citation In an Application</b>		Docket Number <b>064731.0389</b>		Group Art Unit <b>2661</b>	
				Filing Date <b>September 6, 2003</b>	

**U.S. PATENT DOCUMENTS**

A	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE

**FOREIGN PATENT DOCUMENTS**

M	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

Q	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	Jamieson et al., "MPLS VPN Architecture," XP-002311855, <i>Nortel (Northern Telecom) Ltd.</i> , August 7, 1998, 16 pages.	August 7, 1998
	Rosen et al., "BGP/MPLS VPNs," XP-002255256, <i>Cisco Systems, Inc.</i> , March 1999, 25 pages.	March 1999
	S "Delivering Ethernet Traffic in MAN/WAN Practical Ways to Offer Managed Ethernet Services," XP-002311856, <i>Vivace Networks</i> , 2001, 19 pages.	2001
	T European Search Report in European Patent Application No. EP 04 02 0905, dated January 4, 2005, 2 pages.	January 4, 2005

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE